



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,953	01/17/2001	Magnus Hallenstal	27943-00410USP1	6984

27045 7590 08/04/2004

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER

CANGIALOSI, SALVATORE A

ART UNIT	PAPER NUMBER
----------	--------------

2661

DATE MAILED: 08/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/764,953

Applicant(s)

HALLENSTAL ET AL.

Examiner

Salvatore Cangialosi

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2661

1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-38 are rejected under 35 U.S.C. § 103 as being unpatentable over van Landegem in view of Siemens and Cardy et al(cited by applicants).

Regarding claim 1, Landegem (See Fig.1 Col. 8, lines 1-25) disclose means for combining networks having network connecting between broadband network nodes(ATM network nodes) and narrow band network(local and metro network nodes)(See Col. 1, lines 25-40) and interworking entity substantially as claimed. The differences between the above and the claimed invention is the specific switch fabric intelligence and specific narrow band wide band interworking. Siemens (See Fig. And abstract translation) show specific narrow band wide band interworking. Cardy et al (See Fig. 2) specific switch fabric intelligence. It

Art Unit: 2661

would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Landegem because they are well known and conventional functional equivalents of interworking in the prior art. Note that any interworking entity can be adapted to do any function including that claimed but since it is not positively claimed statements of adaptation or enabling are given no patentable weight. Regarding the narrowband limitations of claim 2, Siemens (See Fig. And abstract translation) show specific narrow band interworking which is the functional equivalent of the claim. Regarding node limitations of claim 3, Landegem (See Fig.1 Col. 8, lines 1-25) disclose node means which is the functional equivalent of the claim. Regarding the interworking limitations of claim 4, Landegem (See Fig.1 Col. 8, lines 1-25) disclose means node means which is the functional equivalent of the claim. Regarding the interface limitations of claim 5, Landegem (See Fig.1 Col. 8, lines 1-25) disclose network node means which is the functional equivalent of the claim. Regarding the narrowband limitations of claim 6, Siemens (See Fig. And abstract translation) show specific wide band interworking which is the functional equivalent of the claim. Regarding conversion limitations of claim 7, Landegem (See Fig.1 Col. 8, lines 1-25) disclose network bridging means which is the functional equivalent of the claim. Regarding path limitations of claim 8, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding

Art Unit: 2661

address limitations of claim 9, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding address limitations of claim 10, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding ATM limitations of claim 11, Landegem (See Fig.1 Col. 8, lines 1-25) disclose ATM network nodes substantially as claimed. Regarding claim 12, Landegem (See Fig.1 Col. 8, lines 1-25) disclose means for combining networks having network connecting between broadband network nodes (ATM network nodes) and narrow band network (local and metro network nodes) (See Col. 1, lines 25-40) and interworking entity substantially as claimed. The differences between the above and the claimed invention is the specific switch fabric intelligence and specific narrow band wide band interworking. Siemens (See Fig. And abstract translation) show specific narrow band wide band interworking. Cardy et al (See Fig. 2) specific switch fabric intelligence. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Landegem because they are well known and conventional functional equivalents of interworking in the prior art. Note that any interworking entity can be adapted to do any function including that claimed but since it is not positively claimed statements of adaptation or enabling are given no patentable weight. Regarding format limitations of claim 13, Landegem (See Fig.1 Col. 8, lines 1-25) disclose network packet and communication means which

Art Unit: 2661

is the functional equivalent of the claim. Regarding claim 14, Landegem (See Fig.1 Col. 8, lines 1-25) disclose means for combining networks having network connecting between broadband network nodes(ATM network nodes) and narrow band network(local and metro network nodes)(See Col. 1, lines 25-40) and interworking entity substantially as claimed. The differences between the above and the claimed invention is the specific switch fabric intelligence and specific narrow band wide band interworking. Siemens (See Fig. And abstract translation) show specific narrow band wide band interworking. Cardy et al (See Fig. 2) specific switch fabric intelligence. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Landegem because they are well known and conventional functional equivalents of interworking in the prior art. Note that any interworking entity can be adapted to do any function including that claimed but since it is not positively claimed statements of adaptation or enabling are given no patentable weight. Regarding address limitations of claim 15, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding address limitations of claim 16, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding node limitations of claim 17, Landegem (See Fig.1 Col. 8, lines 1-25) disclose network bridging means which is the functional equivalent of the claim. Regarding node protocol limitations of

Art Unit: 2661

claim 18, Landegem (See Fig.1 Col. 8, lines 1-25) disclose network bridging means which is the functional equivalent of the claim which provide for a plurality of different protocols. Regarding conversion limitations of claim 19, Landegem (See Fig.1 Col. 8, lines 1-25) disclose network bridging means which is the functional equivalent of the claim. Regarding path limitations of claim 20, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding path limitations of claim 21, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding claim 22, Landegem (See Fig.1 Col. 8, lines 1-25) disclose a method for combining networks having network connecting between broadband network nodes(ATM network nodes) and narrow band network(local and metro network nodes)(See Col. 1, lines 25-40) and interworking entity including a data table(Fig. 6) substantially as claimed. The differences between the above and the claimed invention is the specific switch fabric intelligence and specific narrow band wide band interworking. Siemens (See Fig. And abstract translation) show specific narrow band wide band interworking. Cardy et al (See Fig. 2) specific switch fabric intelligence. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Landegem because they are well known and conventional functional equivalents of interworking in the prior art. Regarding path limitations of claim 23, Landegem (See

Art Unit: 2661

Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding path limitations of claim 24, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding path limitations of claim 25, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding address limitations of claim 26, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim. Regarding the interworking limitations of claim 27, Landegem (See Fig.1 Col. 8, lines 1-25) disclose node means which is the functional equivalent of the claim and it would be obvious for dynamic creation. Regarding the permanent limitations of claim 28, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed. Regarding the interworking limitations of claim 29, Landegem (See Fig.1 Col. 8, lines 1-25) disclose node means which is the functional equivalent of the claim and it would be obvious for dynamic creation. Regarding the permanent limitations of claim 30, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed. Regarding the interworking limitations of claim 31, Landegem (See Fig.1 Col. 8, lines 1-25) disclose node means which is the functional equivalent of the claim and it would be obvious for dynamic creation. Regarding the permanent limitations of claim 32, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed.

Serial Number: 09/764,953

8

Art Unit: 2661

Regarding path limitations of claim 33, Landegem (See Fig.6) disclose data table means which is the functional equivalent of the claim which can obviously be dynamically created. Regarding the permanent limitations of claim 34, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed. Regarding the permanent limitations of claim 35, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed. Regarding the permanent limitations of claim 36, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed. Regarding the permanent limitations of claim 37, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed. Regarding the permanent limitations of claim 38, Landegem (See Fig.1 Col. 8, lines 1-25) disclose permanent connections substantially as claimed.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number (703) 305-1837. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms, can be reached at (703) 305-4703.

Serial Number: 09/764,953

9

Art Unit: 2661

Any response to this action should be mailed to:

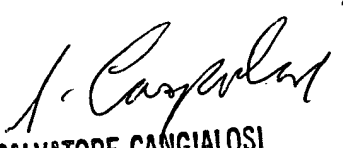
Commissioner of Patent and Trademarks

Washington, D.C. 20231

or faxed to (703)872-9306

Hand delivered responses should be brought to Crystal Park
II, 2121 Crystal Drive, Arlington, Virginia, Sixth
Floor(Receptionist).

Any inquiry of a general nature or relating to the status of
this application or proceeding should be directed to the
Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.


SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222